

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TERRANCE G. FIKES,)
Plaintiff,)
)
vs.) Civil Action No. 08-1241
) District Judge Donetta W. Ambrose
SUPERINTENDENT LOUIS FOLINO,) Magistrate Judge Amy Reynolds Hay
Warden of Greene; FIRE AND)
INSPECTOR SUPERVISOR,)
Defendants.)

ORDER

AND NOW, this 3rd day of December, 2008, after the plaintiff, Terrance G.

Fikes, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge recommending that the case be dismissed for failure to prosecute and granting the parties until November 24, 2008, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the case is DISMISSED for failure to prosecute.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.



Donetta W. Ambrose
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Terrance G. Fikes
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SCI Greene
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All Counsel of Record by electronic filing